APPENDIX

Revenue Act of 1926, c. 27, 44 Stat. 9:

> SEC. 800. On and after the expiration of thirty days after the enactment of this Act there shall be levied, collected, and paid, for and in respect of the several bonds, debentures, or certificates of stock and of indebtedness, and other documents, instruments, matters, and things mentioned and described in Schedule A of this title, or for or in respect of the vellum, parchment, or paper upon which such instruments, matters, or things, or any of them, are written or printed, by any person who makes, signs, issues, sells, removes, consigns, or ships the same, or for whose use or benefit the same are made, signed, issued, sold, removed, consigned, or shipped, the several taxes specified in such schedule. * * * [U. S. C., Title 26, Secs. 900, 908.]

Schedule A–9 of Title VIII of the Revenue Act of 1926, as added by Section 724 of the Revenue Act of 1932, c. 209, 47 Stat. 169:

> SEC. 724. STAMP TAX ON TRANSFER OF BONDS, ETC.
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> (a) Schedule A of Title VIII of the Revenue Act of 1926 is amended by adding at the end thereof a new subdivision to read as follows:
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> "9. Bonds, etc., sales or transfers: On all sales, or agreements to sell, or memoranda of sales or deliveries of, or transfers of legal title to any of the instruments mentioned or

described in subdivision 1 and of a kind the issue of which is taxable thereunder, whether made by any assignment in blank or by any delivery, or by any paper or agreement or memorandum or other evidence of transfer or sale (whether entitling the holder in any manner to the benefit of such instrument or not), on each $100 of face value or fraction thereof, 4 cents: *Provided,* That it is not intended by this title to impose a tax upon an agreement evidencing a deposit of instruments as collateral security for money loaned thereon, which instruments are not actually sold, nor upon the delivery or transfer for such purpose of instruments so deposited: *Provided further,* That the tax shall not be imposed on deliveries or transfers of bonds in connection with a reorganization (as defined in section 112 of the Revenue Act of 1932) if any of the gain or loss from the exchange or distribution involved in the delivery or transfer is not recognized under the income tax law applicable to the year in which the delivery or transfer is made: *Provided further,* That the tax shall not be imposed upon deliveries or transfers to a broker for sale, nor upon deliveries or transfers by a broker to a customer for whom and upon whose order he has purchased same, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided further,* That the tax shall not be imposed upon deliveries or transfers from a fiduciary to a nominee of such fiduciary, or from one nominee of such fiduciary to another, if such instruments continue to be held by such nominee for the same purpose for which they would be held if retained by such fiduciary, or from the nominee to such fiduciary, but such deliveries or transfers shall

be accompanied by a certificate setting forth the facts: *Provided further,* That where the change of ownership is by transfer of the instrument the stamp shall be placed upon the instrument; and in cases of an agreement to sell or where the transfer is by delivery of the instrument assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale, to which the stamp shall be affixed; and every bill or memorandum of sale or agreement to sell before mentioned shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers. Any person liable to pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person, who makes any such sale, or who in pursuance of any such sale delivers any certificate or evidence of the sale of any such instrument, or bill or memorandum thereof, as herein required, without having the proper stamps affixed thereto, with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not exceeding $1,000, or be imprisoned not more than six months, or both."

(b) Subsection (a) shall take effect on the fifteenth day after the date of the enactment of this Act.

(c) Subdivision 9 of Schedule A of Title VIII of the Revenue Act of 1926, added to such schedule by subsection (a) of this section, is repealed effective July 1, 1934.

Smith-Hurd, Illinois Revised Statutes (1931), c. 73:

240. *Additional deposit with superintendent.*] Sec. 1. *Be it enacted by the*

People of the State of Illinois, represented in the General Assembly: That any life insurance company now incorporated or which may hereafter be incorporated under the laws of this state may deposit with the Insurance Superintendent in addition to the amount now required and authorized by law to be deposited with him, securities to any amount not less than $10,000, which shall be legally transferred by it to him as Insurance Superintendent for the common benefit of all the holders of its registered policies and annuity bonds issued under the provisions of this act which shall be held by him in trust for the purposes and objects specified herein. Such securities may include in addition to those authorized by law to be deposited with him under the provisions of "An Act to organize and regulate the business of life insurance," approved March 26, 1869, in force July 1, 1869, certificates of deposit issued by any national bank or any bank or trust company organized under the laws of this state, and certificates of purchase acquired by such company through foreclosure proceedings instituted by it upon mortgages in which its funds have been lawfully invested, and duly recorded conveyances of unincumbered improved real estate lawfully acquired by such company accompanied by satisfactory evidence of ownership thereof, and the Insurance Superintendent shall hold the title to such real estate so conveyed to him in trust as aforesaid until other satisfactory securities in lieu thereof have been deposited with him, whereupon he shall reconvey the same to such company.

The Insurance Superintendent may cause such real estate to be valued and the com-

pany shall pay the reasonable expenses incurred in such valuation. [As amended by act approved May 23, 1907. L. 1907, p. 360.]

241 *Policies registered—Annuity bonds—Duty of superintendent.*] SEC. 2. After making the deposit mentioned in the preceding section, no company shall issue a policy of insurance or endowment or an annuity bond, unless it shall have upon its face a certificate in the following words: "This policy is registered, and approved securities, equal in value to the legal reserve hereon, are held in trust by this department," which certificate shall be signed by the Superintendent and sealed with the seal of his office. Such policies and bonds shall be known as registered policies and annuity bonds, and a duplicate or copy of each kind, class and issue shall be kept in the office of the Insurance Superintendent. * * *

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242. *Additional deposits.*] Sec. 3. Each company which shall have made the deposit herein provided for shall make additional deposits from time to time in amounts of not less than five thousand dollars, and of such securities as are permitted by section 1 of this act to be deposited so that the market value of the securities deposited shall always be equal to the net value of the registered policies and annuity bonds issued by said company, less such liens (not exceeding such net value) as the company may have against them.

So long as any company shall maintain its deposit, as herein prescribed, at an amount equal to or in excess of the net

value of its registered policies and annuity bonds as aforesaid, it shall be the duty of the Superintendent to sign and affix his seal to the certificates beforementioned on every policy and annuity bond presented to him for that purpose by any company so depositing. [As amended by act approved May 23, 1907. L. 1907, p. 360.]

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245. *Increasing deposits—Withdrawing securities—collecting interest.*] SEC. 6. * * * Any such company whose deposits exceed the net value of all registered policies and annuity bonds it has in force, less such liens (not exceeding such net value) as the company may hold against them, may withdraw such excess, or it may withdraw any of said securities at any time by depositing others of equal value and of the character authorized by this act in their stead; and so long as said company shall remain solvent and keep up its deposits, as herein required, it may collect the interest, coupons, rents and other income on the securities deposited as the same accrue. * * *

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247. *Proceedings against insolvent company.*] SEC. 8. If at any time the affairs of any life insurance company which has deposited securities under the provisions of this act shall, in the opinion of the Superintendent, appear in such condition as to render the issuing of additional policies and annuity bonds by such company injurious to the public interest, the Superintendent may take such proceedings against such company as may be authorized by law to be taken against other insolvent companies, and said companies shall in all respects be subject to the provisions of law affecting other companies.

248. *Fees.*] SEC. 9. Every company making deposits under the provisions of this act shall pay to the Superintendent for each certificate on registered policies or annuity bonds, including seal, a fee of fifty cents: *Provided*, that for each certificate, including seal, issued in accordance with the provisions of section five of this act, the fee shall be twenty-five cents.

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250. *Discontinuance of deposit and registration of policy.*] SEC. 11. Any company making deposits and registering its policies and annuity bonds pursuant to this Act may, through action by its board of directors or other governing body corresponding thereto, at any time when the insurance under its registered policies in force exceeds twenty million dollars ($20,000,000), cease to register its policies and annuity bonds issued subsequent to the completion of the steps herein required and cease to deposit the reserves thereon. * * *

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